

**ELECTRONICALLY FILED  
OCTOBER 12, 2007**

STUTMAN, TREISTER & GLATT, P.C.

FRANK A. MEROLA

(CA State Bar No. 136934)

EVE H. KARASIK

(CA State Bar No. 155356)

CHRISTINE M. PAJAK

(CA State Bar No. 217173)

1901 Avenue of the Stars, 12<sup>th</sup> Floor

Los Angeles, CA 90067

Telephone: (310) 228-5600

E-mail: [fmerola@stutman.com](mailto:fmerola@stutman.com)

[ekarasik@stutman.com](mailto:ekarasik@stutman.com)

[cpajak@stutman.com](mailto:cpajak@stutman.com)

SHEA & CARLYON, LTD.

JAMES PATRICK SHEA

(Nevada State Bar No. 000405)

CANDACE C. CARLYON

(Nevada State Bar No. 002666)

SHLOMO S. SHERMAN

(Nevada State Bar No. 009688)

701 Bridger Avenue, Suite 850

Las Vegas, Nevada 89101

Telephone: (702) 471-7432

E-mail: [jshea@sheacarlyon.com](mailto:jshea@sheacarlyon.com)

[ccarlyon@sheacarlyon.com](mailto:ccarlyon@sheacarlyon.com)

[ssherman@sheacarlyon.com](mailto:ssherman@sheacarlyon.com)

*Counsel for the Official Committee of Equity Security Holders of  
USA Capital First Trust Deed Fund, LLC*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re: ) BK-S-06-10725-LBR  
USA COMMERCIAL MORTGAGE COMPANY ) Chapter 11  
Debtor )

In re: ) BK-S-06-10726-LBR  
USA CAPITAL REALTY ADVISORS, LLC, ) Chapter 11  
Debtor )

In re: ) BK-S-06-10727-LBR  
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC, ) Chapter 11  
Debtor )

In re: ) BK-S-06-10728-LBR  
USA CAPITAL FIRST TRUST DEED FUND, LLC, ) Chapter 11  
Debtor. )

In re: ) BK-S-06-10729-LBR  
USA SECURITIES, LLC, ) Chapter 11  
Debtor. )

Affects )

☐ All Debtors )

☐ USA Commercial Mortgage Co. )

☐ USA Securities, LLC )

☐ USA Capital Realty Advisors, LLC )

☐ USA Capital Diversified Trust Deed )

☒ USA Capital First Trust Deed Fund, LLC )

DATE: September 28, 2007  
TIME: 1:30 p.m.

**CERTIFICATE OF SERVICE OF NOTICE OF ENTRY OF ORDER SUSTAINING  
OBJECTION OF USACM TRUST TO CAROLINE GERWIN CLAIM FILED IN  
WRONG DEBTOR'S CASE; OBJECTION OF FTDF TO PROPOSED ALLOWANCE  
OF CLAIM**

I HEREBY CERTIFY that I served the following documents:

1 Notice of Entry of Order Sustaining Objection of USACM Trust to Caroline Gerwin  
2 Claim Filed in Wrong Debtor's Case; Objection of FTDF to Proposed Allowance of  
3 Claim

4 I served the above named document(s) by the following means to the persons as listed  
5 below:

6 ☒ a. Via the ECF System on the 9<sup>th</sup> day of October, 2007 (see attached  
7 Notices of Electronic Filing).

8 ☒ b. United States mail, postage fully prepaid on the 12<sup>th</sup> day of October,  
9 2007, to the following:

10 Caroline Gerwin  
11 4775 Summit Ridge Dr., Apt. 1101  
12 Reno, NV 89523-7917

13 ☐ c. Personal service.

14 I personally delivered the documents to the persons at these addresses:

15 ☐ For a party represented by an attorney, delivery was made by handing the  
16 document(s) at the attorney's office with a clerk or other person in charge,  
17 or if no one is in charge, by leaving the document(s) in a conspicuous  
18 place in the office.

19 ☐ For a party, delivery was made by handing the document(s) to the party  
20 or by leaving the document(s) at the person's dwelling house or usual  
21 place of abode with someone of suitable age and discretion residing  
22 there.

23 ☐ d. By direct email.

24 Based upon the written agreement of the parties to accept service by email or  
25 a court order, I caused the document(s) to be sent to the persons at the email  
26 addresses listed below. I did not receive, within a reasonable time after the  
27 transmission, any electronic message or other indication that the transmission  
28 was unsuccessful.

☐ e. By fax transmission.

Based upon the written agreement of the parties to accept serve by fax  
transmission or a court order, I faxed the document(s) to the persons at the

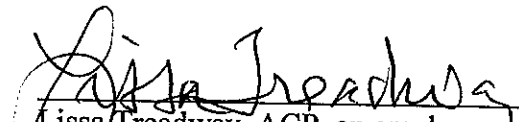
1 fax numbers listed below. No error was reported by the fax machine that I  
2 used. A copy of the record of the fax transmission is attached.

3 ☐ f. By messenger.

4 I served the document(s) by placing them in an envelope or package  
5 addressed to the persons at the addresses listed below and providing them to  
6 a messenger for service.

7 I declare under penalty of perjury that the foregoing is true and correct.

8 DATED this 12th day of October, 2007.

9   
10 Lissa Treadway, ACP, an employee  
11 of SHEA & CARLYON, LTD.

**File a Notice:**

06-10725-lbr USA COMMERCIAL MORTGAGE COMPANY

**U.S. Bankruptcy Court**

**District of Nevada**

**Notice of Electronic Filing**

The following transaction was received from SHERMAN, SHLOMO S. entered on 10/9/2007 at 6:32 PM PDT and filed on 10/9/2007

**Case Name:** USA COMMERCIAL MORTGAGE COMPANY

**Case Number:** 06-10725-lbr

**Document Number:** 4945

**Docket Text:**

Notice of Entry of Order Filed by SHLOMO S. SHERMAN on behalf of OFFICIAL COMMITTEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC (Related document(s)[4920] Order Re: Objection to Claim, ) (SHERMAN, SHLOMO)

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**Z:\USA Investors Committee #1500\Electronic Filing\noe gerwin.pdf

**Electronic document Stamp:**

[STAMP bkecfStamp\_ID=989277954 [Date=10/9/2007] [FileNumber=8709119-0]  
[15e80e964ef4467bd95b465bd228e43cd13b1fa66290355c374c9fcab558bdbd5f3f  
2fbb0197ab4f384d7632d857ada31c880e353e8d7593a3c6c77488edb999]]

**06-10725-lbr Notice will be electronically mailed to:**

MICHELLE L. ABRAMS mabrams@mabramslaw.com

FRANKLIN C. ADAMS franklin.adams@bbklaw.com, arthur.johnston@bbklaw.com

NANCY L ALLF nallf@parsonsbehle.com, karen\_lawrence@gshllp.com

NANCY L ALLF nancy\_allf@gshllp.com, karen\_lawrence@gshllp.com

FRANK A. ANDERSON anderson.frank@pbgc.gov, efile@pbgc.gov

PETER C. BERNHARD peter.bernhard@bullivant.com, michelle.diegel@bullivant.com

BMC GROUP, INC. evrato@bmgroup.com,  
ecf@bmgroup.com;jmiller@bmgroup.com;mjohn@bmgroup.com

GEORGANNE W. BRADLEY georganne.bradley@bullivant.com, mary.opatry@bullivant.com

KELLY J. BRINKMAN kbrinkman@gouldpatterson.com

THOMAS R. BROOKSBANK tom@tombrooksbank.com, renee@tombrooksbank.com

ANDREW M. BRUMBY abrumby@shutts-law.com, rhicks@shutts-law.com;lmackson@shutts-law.com

LOUIS M. BUBALA lbubala@jonesvargas.com, tbw@jonesvargas.com;aanthony@jonesvargas.com

MATTHEW Q. CALLISTER mqc@callister-reynolds.com, maggie@callister-reynolds.com;jrammos@callister-reynolds.com

CANDACE C CARLYON ltreadway@sheacarlyon.com, ccarlyon@sheacarlyon.com;bankruptcyfilings@sheacarlyon.com

MICHAEL W. CARMEL michael@mcarmellaw.com, nancy@mcarmellaw.com;ritkin@steptoe.com

ROB CHARLES rcharles@lrlaw.com, cjordan@lrlaw.com

MICHAEL W. CHEN yvette@ccfirm.com

KEVIN B. CHRISTENSEN kbchrislaw@aol.com

JANET L. CHUBB tbw@jonesvargas.com

JANET L. CHUBB tbw@jonesvargas.com

WILLIAM D COPE cope\_guerra@yahoo.com

LAUREL E. DAVIS ldavis@fclaw.com, mhurtado@fclaw.com

THOMAS W. DAVIS tdavis@hwmlvlaw.com, wendim@hwmlvlaw.com

DEBT ACQUISITION COMPANY OF AMERICA V, LLC (aw) awhatnall@daca4.com

J CRAIG DEMETRAS JCD@demetras-oneill.com, jar@demetras-oneill.com;mdh@demetras-oneill.com

RICHARD I. DREITZER rdreitzer@yahoo.com

THOMAS H. FELL  
BANKRUPTCYNOTICES@GORDONSILVER.COM;bknoces@gordonsilver.com

SCOTT D. FLEMING sfleming@halelane.com, dbergsing@halelane.com

GREGORY E GARMAN bankruptcynotices@gordonsilver.com, bknoces@gordonsilver.com

DOUGLAS D. GERRARD DGERRARD@GERRARD-COX.COM, ekaymedellin@gerrard-cox.com

WADE B. GOCHNOUR wgochnour@hwmlvlaw.com, donnat@hwmlvlaw.com

CARLOS A. GONZALEZ carlos.gonzalez2@usdoj.gov,  
Darlene.Ruckard@usdoj.gov;Mary.Booker@usdoj.gov

GERALD M GORDON bankruptcynotices@gordonsilver.com, bknotices@gordonsilver.com

R. VAUGHN GOURLEY vgourley@lvcm.com

TALITHA B. GRAY bankruptcynotices@gordonsilver.com;bknotices@gordonsilver.com

JAMES D. GREENE bknotice@bhfs.com

MARJORIE A. GUYMON bankruptcy@goldguylaw.com,  
ddias@goldguylaw.com;angelenal@goldguylaw.com

PETER W. GUYON pguyon@yahoo.com

JEFFREY R. HALL jhall@sheacarlyon.com, jhall@hutchlegal.com

XANNA R. HARDMAN xanna.hardman@gmail.com

STEPHEN R HARRIS noticesbh&p@renolaw.biz

JEFFREY L HARTMAN notices@bankruptcyreno.com, dle@bankruptcyreno.com

BRIGID M. HIGGINS bankruptcynotices@gordonsilver.com, bknotices@gordonsilver.com

RICHARD F. HOLLEY rholley@nevadafirm.com,  
paltstatt@nevadafirm.com;vnelson@nevadafirm.com;sliberio@nevadafirm.com;bkecf@nevadafirm.com

RANDOLPH L. HOWARD rhoward@klnevada.com,  
ckishi@klnevada.com;bankruptcy@klnevada.com

DAVID W. HUSTON dwh@hustonlaw.net, swaits@hustonlaw.net

JASON A. IMES bkfilings@s-mlaw.com

ROBBIN L. ITKIN ritkin@steptoe.com,  
sgottlieb@steptoe.com;skopman@steptoe.com;keckert@steptoe.com;jgoldman@steptoe.com;kpiiper@st

CHRISTOPHER D JAIME cjaime@waltherkey.com, kbernhar@waltherkey.com

EVAN L. JAMES ejameslv@embarqmail.com, kbchrislaw@aol.com

ANNETTE W JARVIS ajarvis@rqn.com

ERIN E. JONES ejones@diamondmccarthy.com, cburrow@diamondmccarthy.com

TY E. KEHOE TyKehoeLaw@aol.com

ROBERT R. KINAS rkinas@swlaw.com,  
jmcbee@swlaw.com;jmath@swlaw.com;mfull@swlaw.com;cdossier@swlaw.com;lvdocket@mindsprn;

DEAN T. KIRBY dkirby@kirbymac.com, jhebert@kirbymac.com;lackerman@kirbymac.com

ZACHARIAH LARSON ecf@lslawnv.com, susans@lslawnv.com

JOHN J. LAXAGUE jlaxague@canecclark.com

GEORGE C LAZAR glazar@foxjohns.com, gclazar@sbcglobal.net

NILE LEATHAM nleatham@klnevada.com, ckishi@klnevada.com;bankruptcy@klnevada.com

ROBERT C. LEPOME rlepome@cox.net, smstanton@cox.net

TYSON M. LOMAZOW tlomazow@milbank.com

ANNE M. LORADITCH ecffilings@LRLaw.com, aloraditch@LRLaw.com;pkois@LRLaw.com

ERIC D MADDEN emadden@diamondmccarthy.com, jsickels@diamondmccarthy.com

PATRICIA A. MARR lvlaw03@yahoo.com

JAMES C. MCCARROLL , dturetsky@reedsmith.com;aleonard@reedsmith.com

REGINA M. MCCONNELL rmccconnell@kssattorneys.com

WILLIAM L. MCGIMSEY lawoffices601@lvcoxmail.com

RICHARD MCKNIGHT mcknightlaw@cox.net,  
gkopang@lawlasvegas.com;cburke@lawlasvegas.com

JEANETTE E. MCPHERSON bkfilings@s-mlaw.com;info@s-mlaw.com

JEANETTE E. MCPHERSON bkfilings@s-mlaw.com;info@s-mlaw.com

SHAWN W MILLER bankruptcyfilings@sheacarlyon.com,  
smiller@sheacarlyon.com;ltreadway@sheacarlyon.com;mleavitt@sheacarlyon.com

DAVID MINCIN mcknightlaw@cox.net,  
gkopang@lawlasvegas.com;dmincin@lawlasvegas.com,cburke@lawlasvegas.com

JOHN F MURTHA jmurtha@woodburnandwedge.com

ERVEN T. NELSON erv@rlbolick.com, susan@rlbolick.com;erin@rlbolick.com

JOHN F. O'REILLY jor@oreillylawgroup.com,  
tor@oreillylawgroup.com;bc@oreillylawgroup.com;mg@oreillylawgroup.com;lc@oreillylawgroup.com

TIMOTHY R. O'REILLY tor@oreillylawgroup.com,  
jor@oreillylawgroup.com;bc@oreillylawgroup.com;mg@oreillylawgroup.com;lc@oreillylawgroup.com

BOB L. OLSON ecffilings@beckleylaw.com, bolson@beckleylaw.com;dgriffis@beckleylaw.com



DONNA M. OSBORN ebaker@marquisaurbach.com,  
dosborn@marquisaurbach.com;tszostek@marquisaurbach.com;kgallegos@MarquisAurbach.com

CHRISTINE M PAJAK cpajak@stutman.com, ekarasik@stutman.com

ANDREW M. PARLEN aparlen@stutman.com

DONALD T. POLEDNAK sandplegal@yahoo.com, spbankruptcy@yahoo.com

PAUL C RAY info@johnpeterlee.com

THOMAS RICE trice@coxsmith.com,  
ggattis@coxsmith.com;jbrown@coxsmith.com;dwilliamson@coxsmith.com

GORDON C. RICHARDS gcrclarkandrichards@earthlink.net, sebclarkandrichards@earthlink.net

CHRISTINE A ROBERTS bankruptcy@rocgd.com

STACY M. ROCHELEAU stacy@arlawgroup.com, wendy@arlawgroup.com

SUSAN WILLIAMS SCANN sscann@deanerlaw.com, palexander@deanerlaw.com

LENARD E. SCHWARTZER bkfilings@s-mlaw.com

BRIAN D. SHAPIRO ecf@brianshapirolaw.com,  
tiffany@brianshapirolaw.com;brianshapiroesq@yahoo.com;bshapiro@brianshapirolaw.com

JAMES PATRICK SHEA bankruptcyfilings@sheacarlyon.com,  
ltreadway@sheacarlyon.com;jshea@sheacarlyon.com

SHLOMO S. SHERMAN ssherman@sheacarlyon.com,  
bankruptcyfilings@sheacarlyon.com;ltreadway@sheacarlyon.com;rsmith@sheacarlyon.com;mleavitt@

AMBRISH S. SIDHU ecfnofices@sidhulawfirm.com

JEFFREY G. SLOANE gjklepel@yahoo.com, rmconnell@kssattorneys.com

ALAN R SMITH mail@asmithlaw.com,  
turk@asmithlaw.com;marsh@asmithlaw.com;darby@asmithlaw.com

ADAM M. STARR starra@gtlaw.com

DAVID A. STEPHENS dstephens@lvcm.com

PETER SUSI cheryl@msmlaw.com, msm@msmlaw.com

ERIC W. SWANIS swanise@gtlaw.com,  
barberc@gtlaw.com;lengemannc@gtlaw.com;boddtb@gtlaw.com;dittrichr@gtlaw.com;driverv@gtlaw.c

JEFFREY R. SYLVESTER jeff@sylvesterpolednak.com



KAARAN E. THOMAS kthomas@mcdonaldcarano.com, mmorton@mcdonaldcarano.com

ROLLIN G. THORLEY rollin.g.thorley@irs.counsel.treas.gov

U.S. TRUSTEE - LV - 11 USTPRegion17.lv.ecf@usdoj.gov

ERIC VAN bankruptcynotices@gordonsilver.com, bknotices@gordonsilver.com

GREGORY J. WALCH GWalch@Nevadafirm.com

RUSSELL S. WALKER rwalker@wklawpc.com,  
eloveridge@wklawpc.com;ckirk@wklawpc.com;tgrover@wklawpc.com

WHITNEY B. WARNICK wbw@albrightstoddard.com, bstessel@albrightstoddard.com

GREGORY L. WILDE bk@wildelaw.com

RYAN J. WORKS rworks@mcdonaldcarano.com,  
kbarrett@mcdonaldcarano.com;dsampson@mcdonaldcarano.com;aguenther@mcdonaldcarano.com;hve

MATTHEW C. ZIRZOW bankruptcynotices@gordonsilver.com, bknotices@gordonsilver.com

**06-10725-lbr Notice will not be electronically mailed to:**

CELSO ACOSTA

ANTHONY G. ADAMS

THOMAS J. ALLISON

ANDREW K ALPER  
6500 WILSHIRE BLVD 17TH FLR  
LOS ANGELES, CA 90048

ALVAREZ & MARSAL, LLC

ARNOLD R. ALVES  
9904 VILLA GRANITO LANE  
GRANITE BAY, CA 95746

AMERICAN EXPRESS BANK FSB  
PO BOX 3001  
MALVERN, PA 19355-0701

ANGELO GORDON & CO  
C/O JED HART